SI- 114
1959.

File No. 162/48

A CLASS

P.W DEPARTMENT
E BRANCH

Subject:— Corruption

measures to check

in the P.W.D.

A[K]

File No. 162/48 - E (II) Br

Ed. Secti. Slip 24 A

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—

File No. 162/48

P. W **DEPT.**

E **BRANCH.** (W

References :—

Date.	To whom sent.	Notes and instructions.

162/48
35887

Public Works Department.

E. B. (II)

This Department file No. 2400/36, dealing with measures to avoid corruption in P.W.D. has been referred u.o. to the F.D. on the 26-4-49, in connection with employment of labour gangs for carrying out departmental works. Please see Ms. Murti's note, dated the 18-2-49 and portion marked 'B' at p. 31 of file No. S-8/2.

2. ~~The Secretary~~ There are no other papers on the subject.

3. The Secretary with kindly decide the date and time for appointment with Mr. Thakar.

Id/-
2-6-49

Id/-
2-6-49

Thro' E. B. (I)

Id/-
2-6-49

6th Monday at 12 noon will suit me.

Id/-
3-6

PMB/14/7/56.

162/48
35887.
Public Works Department.

E. Br. (II)

This Department file No. 2400/36, dealing with measures to avoid corruption in Public Works Department has been referred u.o. to the Finance Department on the 26-4-49, in connection with the employment of Labour gangs for carrying out departmental works. Please see Mr. Murti's note, dated the 18-2-49 and portion marked 'B' at p. 31 of file No. 8-8/2.

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Thro: E.B. (I)

Id/-
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Id/-
2-6-49

6th Monday at 12 noon will suit me.

Id/-
3/6

.....

Anti-Corruption Branch.

Duties of the ordinary Police in relation to the ---

GOVERNMENT OF BOMBAY.
Home Department.
Circular No. 1643/5.
Bombay Castle, 12th February 1947.

C I R C U L A R

THE Additional Assistant to the Inspector General of Police, Anti-Corruption Branch recently brought to the notice of Government that the ordinary police would not take any action on complaints made to them regarding corruption amongst Government servants and left the whole of this type of work to the Anti-Corruption squad.

Government desires to impress on all District Magistrates and the Superintendents of Police (including the Additional District Magis-trates and the Additional District Superintendents of Police) that th responsibilites in checking corruption or those of the Magistrates under the Criminal Procedure Code with regard to the acceptance of complaints under the Criminal Procedure Code have not been reduced by the creation of the Anti-Corruption Branch.

By order of the Governor of Bomb

W. MIRANDA,
For Secretary to the Government of Bombay,
Home Department.

Anti-Corruption Branch.
References to the —— regarding
enquiries not involving
corruption and bribery.

GOVERNMENT OF BOMBAY.
Home Department,
Circular No. 1643/5,
Bombay Castle, 25th May 1950.

Read Government Circular No. 1643/5, dated the 12th February 1947.

CIRCULAR:- It has been noticed that enquiries not involving corruption and bribery are after referred to the Anti-Corruption Branch. Government desires to impress on all heads of offices that the Anti-Corruption Branch has a very limited staff and if its officers are kept engaged in conducting enquiries of a routine nature which the heads of offices ought ordinarily to dispose of themselves, the Anti-Corruption-staff may find it difficult to devote sufficient time and energy to complaints of corruption and bribery. All heads of offices under the several departments of the Secretariat are therefore requested to refrain from referring to the Anti-Corruption Branch any enquiries not involving corruption and bribery except in very extraordinary circumstances.

By order of the Governor of Bombay,

Sd/-
for Secretary to the Government of Bombay,
Home Department.

To

The Inspector General of Police, State of Bombay, Poona,

All Deputy Inspectors General of Police,

The Additional Assistant to the Inspector General of Police, Anti-corru Branch, Poona,

All District Magistrates,

All Superintendents of Police,

All other heads of offices under the several departments of the Secretariat,
All Secretariat Departments (except the Separate Deptt.)

With copy of Govt. Cir Deptt. N dt. the 12th Feb. 1947.

Confidential note on a proposal to abolish the Muster Roll System in the P.W.D., initiated by the P.W.D., Secretariat.

Government in the P.W.D. wrote, under its confidentail No. 2400/36-EII dated 7-12-48 asking me to arrange a meeting with Messrs. Champhekar, Divatia and Wadia to consider the proposals contained in No. 2400/36/P.T./III and suggested that after mutual discussion it shouldbe possible to arrive at a unanimous decision, which might be incorporated in a note.

2. As desired by Government we have met and discussed the proposals contained in the note and I set down below our unanimous opinion on the subject.

3. - At the outset it may be stated that the assumption which forms the basis of the Govt. proposals is that the muster roll gives large scope for unscrupulous subordinates for making money by marking the presence of bogus or fictitious names in it, and that this scope is largely made use of by the suberdinates. Efforts made so far to check this evil are assumed to have proved inadequate and it is proposed in the Government note to abolish the muster roll system as a mens of carrying out work altogether.

4. We feel that, while admitting that muster rolls are often a source of corruption the evil is not as large as made out in the file under discussion. The muster roll is a universally recognised and convenient mode of carrying out work. Indeed, it is believed by many able and honest officers that the muster roll system is a much better and safer way of carrying out departmental works to avoid corruptio than the other alternatives in vogue, namely the rate list, piece work or contract system. Dishonesy in the case of muster rolls is more easily brought to kight in the shape of complaints as it is easier for the complaints to notice such dishonesty of false mustering than the dishonesty in other modes of carrying out work. The muster roll system is at present adopted on a large scale for carrying out work which is unmeasurable and, even if measurable, that would be easily obliterated after a short time and would be susceptible of check. If piece work or contract system is introduced in place of muster roll in such cases, and there is a dishonest transaction, it becomes almost impossible to investigate in detail later on when issues get clouded and the benefit of the doubt will invariably have

be given to the suspected persons.

5. Again, it has been largely our experience that when dishonesty in muster rolls is practises, it is not at times without the connivence of the officers immediately above those who write up the muster rolls. If such men are asked to adopt the contract system in preference to Muster Rolls, as it is they who write up measurements, propose rates and prepare bills, they could easily utilise the safer contract system to their advantage and it may be only a case of a change for the worst. In saying all this, our attempt is to make out that in essence muster rolls do not serve as a means of loss of public money in the hands of unscrupulous persons any more than other ways of paying for work and, if any thing affords less chance of such loss, as they afford better scrutiny and investigation later on than the other methods. The loss of money in muster rolls is also not likely to be so much and on such a large scale, as is likely to be in the payment on measurements for such work, which soon gets obliterated and does not become susceptible of subsequent check.

6. The real and far more important objection to muster rolls is not so much the loss of money by actually making false "presents" as the loss to Government by poor outturn of work by the men marked present, coming late and going early lazing away much of the time they are on work. It is this problem that needs to be tackeled in all earnestness as it is believed that the loss caused in this case, particularly in the case of the great majority of the road coolies who are generally left to themselves, may be as much as 30 per cent.

7. For these reasons as for also the reason that muster rolls tend to dishonesy, it is worthwhile considering how best we can reduce the losses due to these causes, Certain measures are suggested in the Secretariat note sent to us for report and they are discussed below seriatim.

(i) The proposal to carry out work which is susceptible of measurements, preferebly by rate list, piece work, or regular tenders instead of departmentally through muster rolls may be accepted. In fact this is invariably followed in actual practise, wherever there are available a sufficient number of agencies of this sort and sufficient competition to keep down the rates to reasonable levels. Very often when contractors form rings or there is lack of capable contractors, the muster roll system has to be resorted to/ There should be no objection to this when the work is done under close

supervision throughout the working hours.

It is also a good idea in order to cut out the middle men to entrust works susceptible of measurements to Labour Cooperative Societies where they exist and are considered capable of tackling such works. Works can be given out to such societies at sanctioned current rates applicable to rate list system.

(ii) When work is not susceptible of measurements, it would appear far better to get the work done by groups or gangs of labour of sufficient sizes, each group or gang being closely supervised by a departmental superviser during the whole period the labourers are at work. As stated in the Government note, it is desirable to fix ~~xxx~~ fix the normal normal number of workers who can always and and definitely be kept usefully and fully occupied and, as suggested, this number may be scrutinised and approved by the Executive Engineer in each case. Very often however the number of labourers on work will have to be carrying, depending upon particular occassions such as spreading blindage all over a road after a rain storm, digging and claning gutters immediately before the monsoon etc. The extra minimum number required in such cases should be employed with the specified written permission of the Sub-Divisional Officer. Demands for such extra labour should always be accompanied by a statement ~~fx~~ of work to be done, the number of labourers required and the number of days involved.

There is however one very real practical difficulty as to how get the labour together into a gang. This department cannot afford to provide transport, as such transport would be far too costly for the works generally involved. The men are usually drawn from different places and the distances to be traversed are large. Even if these distances are traversed daily, most of the energy and time would be spent in coming and going. Again, for a superviser to be worth his while looking after such labour, each gang should be sufficiently large and at one place and should not be less than 10 to 12 men. This will mean that more men will have to be normally employed for the maintenance of our works. This would in turn mean that to find adequate work for the gang we will have to draw upon some work which is at present done by rate list or piecework and give it to the gang. There should be no objection to this as we may expect sufficiently efficient and economical work from such a procedure.

[for the gangs to be of a certain minimum size than would be normally employed]

...der however to get the gang together, it has been suggested to us that labourers should equip themselves with push bicycles and they should be allowed a cycle allowance at the prevalent rate, which is Rs. 4/- P.M. Such of the labourers, who need advances for the purchases of bicycles may be given them up to a maximum of three months wages recoverable in 12 instalments. If such an arrangement is feasible, it would be possible, assuming that a supervisor's beat is brought down to some 12 miles or so for the labourers to be on the work sept any where in the beat, say at 8.30 in the morning and leave for home at 5.30 in the evening with an hour's interval for rest. The allowance paid will be more than offset by the energy saved and the larger number of working hours and more regular attendance and supervision. We feel that this suggestion is worth considering as this will contribute to giving practical shape to the gang idea, envisaged in the Govt. Memo. To assist matters further, it will be desirable to provide tool shead and shelther at short intervals all over the beat. No organised gang system on a large scale seems to have yet been tried ~~eisewh~~ in this Province. It is suggested that it may be tried as an experimental measure in one Mukkum's beat under each Sub-Division for a year. By the end of the year sufficient experience of the system will have been gained to consider whether the system should be introduced on a wider scale.

As regards the mode of payment to the gang labourers, it is desirable for a number of reasons to continue the present system. Our reasons are given below :-

(a) System of monthly payment on acquittance roll to selected labourers was tried a few years ago, as a result of an effort to allow them holidays with pay, which is only possible under the existing rules for work charges establishment and not daily rated labour. It was found that such labourers, feeling themselves in a firmer footing when taken on work charged establishment, would not turnout adequate work and became lazy and nonchalant and work began to suffer seriously. There was ~~hardly~~ hardly any Executive Engineer who would support the new system and ultimately Government had to go back to the present arrangement, whereby the labourers know that they would be discharged if they do not satisfy their superiors in their work.

We have no doubt, that, if the system is re-introduced, Government will again come to the same conclusion with the added disadvantage that it will

not be able to go back to the present system any longer as is now far better organised and resistant than formerly. Therefore we should caution Government to "go slow".

(b) In either case of monthly payment on acquittance roll or muster roll, labour will have to be musrterd daily and the payment would be naturally depending on the number of days in the month on which the labourers are present on the work. Hence there is no apparent advantage gained in making payment on monthly acquttance rolls.

(c) No sooner the daily rated labour is brought on monthly acqui--ttance roll basis than we shall straightway have to increase the wages to the accepted minimum level, which is at present Rs. 55/- P.M. The wages actually paid on muster roll to day vary from Re.1/- to Rs. 1-8-0 per day and this represent the lowest wages current today. The increase in wages that will be require to be paid if they are raised to Rs. 55/- per month works out, from rough calculations made, to some 45 per cent more than the wages paid now, and the consequent extra expenses will be very heavy and materially add to the present inflationary situation,

(d) The elasticity which the present muster rolls permit of just engaging the minimum labour to suit each work will be lost and its place regidity will be introduced either with too small fixed number to cope with works efficiently and quickly or too large a number so as to be wateful. The inconvenience will be largely felt when extra labour is to be employed for short periods on emergent occassions and also when labour demands payment soon after the period for which it is engaged.

(e) There will be extra establishment required in the Sub-Divisional and Divisional offices for coping with the huge amount of increased clerical work involved if all the labour engaged in the department is brought on to work charged establishment.

(f) Extra expenditure for leave (both earned and casual) will have to be incurred on account of the rights that the labourers will acquire by being brought on monthly paid establishment, which will soon have to be converted into a sort of epermanent establishment with provident fund and earned leave with pay benefits.

(g) Once brought on the work charged establishment, the labour will no doubt ask for being given an incremental scale. This would add further to the extra expenditure to Govt.

(h) As the expenditure on P.W. works whether carried out on daily or monthly wages has to be commensurate with outturn and as the physical energy of a labourer deteriorates rapidly after the age of 30 or 35 years, the the outturn of elder men will be much less than that of younger ones and to keept on elder men on the same job by conferring on them rights or continuity would be wasteful. By a change over to the Acquittance roll system, the facility which the present system affords of replacing the inefficient by the more more efficient will be lost, and with the labourer entrenched more firmly, it would be difficult to deal with him and removal of him would entail a lot of representations, reports, appeals, questions and delays. The result will be a tendency on the part of the departmental establishment to adopt the line of least resistance and accept whatever the labour gives.

(iii) As regards Mamlatdars having to maintain lists of labourers, it is doubtful whether they will be able to do anything of the sort and whether the idea will be workable at all. Even if the Mamlatdars undertake the work, all and sundry of the unemployed may get enrolled in the Mamlatdars' lists and when it comes to actual working, the labour offered may not really be useful and there may be unnecessary rub between the two Departments, and this may add to the present difficulatjes of carrying out works. It is suggested that the idea may not be pursued.

(iv) The proposal of utilising labour Co-operative Societies appears to be a practicabbe solution of the evils complained of and it will be desirable to encourage formation of such societies at each taluka town. or concentrations of work. Once such socieities are formed, existing P.W.D. labour can also be made to be members/such societies and it should be possible within a few years to have, with the help of such societies, a nucleus labour corps.

8. Page 10 of the Secretariat File.

As regards the points raised on page 10 of the Secretariat File, it is felt that corruption in muster roll or any other mode of carrying out work can only be put down efficiently if the officers exert stringent supervision as stated by the Secretaries. By fixing the normal number of coolies to be employed, by plenty of suprise checks of the muster roll and the works, insistence on the man who writes the muster roll being on the work throughout the

work.

...ng hours, insistence on the proper completion and daily submission of daily reports which must be seen, initialled and dated by the Sectional Officer and Sub-Divisional Officer as they are received, allotting task work and seeing that it is actually done, taking pains to measure work as exactly as possible and check measurements taken by subordinates before payment, making a proper scrutiny of persons to whom arrears are paid with a view to know whether they had been actually employed, by all these ways which are well known to each P.W.D. Official with any pretence of experience, a considerable control over the correctness and efficiency of muster roll method of working can be achieved.

9. As regards the question whether there will be continuous employment for each labourer on road and building works, it may be stated that there could be such employment for a certain number of men throughout the year by allotting to each certain mileages and certain buidligns within a specified beat. As already stated, it would be far better if such labourers can be but get to work together under a constant supervision. This may mean in the case of road works a certain extra expenditure, upto, say a eitht of one's wages for his conveyance, but this expenditure will be wethh incurring in view of the better control exercised on him and consequent higher efficiency.

10. Whether contractors will be available to undertake to carry out the road work and building work whenever required within a specified area at fixed rates depends upont the locality and labour conditions. In certain tracts like parts of Manara, departmental work is the only way.

11. It is needless to say of course that in all cases where expenditure of public money is involved, there is a paramount necessity for stringent supervision.

12. To summarise:

(1) Muster roll is not such a large source of corruption as is assumed in the Government note,. Corruption in its case is more easily brought to light and investigated than perhaps in the other modes of carrying out public works. The Muster Roll system is oftenm a very convenient and safe way of carrying out work, particularly when the work is a concentrated one.

(2).....

(2) The greater loss in muster roll is due to inadequate outturn in the case of labour distributed over a wide area and inadequately supervised.

(3) The defects in case of 1 and 2 above may be sought to be remedied by adoption of working by gang system, if only means can be found to get labourers together into gangs.

(4) It is unnecessary and wasteful to pay gangs on Acquittance Roll once the gangs are formed and their strengths are fixed.

(5) In case of work susceptible of measurements, it is wholesome to adopt the alternative system of rate list or contract.

(6) Works may be entrusted to Labour Cooperative Societies where they are existing as they are considered capable to tackle such woks.

(7) Maintenance of labourers list by Mamlatdars is impracticable.

(8) In all cases of public works, a stringent supervision, as stressed by the Secretaries, is necessary.

Sd/- N.V.S.MURTI,
18-2-49
Superintending Engineer,
Bombay Circle.

True Copy

Sd/-
Superintendent,
P.W.D.Secretariat.

ANTI-CORRUPTION COMMITTEE FOR BOMBAY.

In furtherance of the Bombay Government's campaign against corruption, an anti-corruption Committee for Greater Bombay (Bombay and Bombay Suburban District) has been formed.

The main function of the Committee is to co-operate with Government in suppressing the evil of corruption in public services and with this object in view, to take all such measures in consultation with the Heads of Offices as it considers necessary, including the education of public opinion against the evil of corruption, and to bring cases of corruption to the notice of Government for necessary action.

The Anti-Corruption Committee consists of two official and three non-official members as follows-

(1) Mr. M.R.Mehar, I.C.S., (Retd.), CHAIRMAN
Collector of Bombay & Bombay Suburban District,
old Custom House, Fort (Tel.No. 39022).

(2) Mr. G.J.W.Quilter,
Deputy Commissioner of Police,

Anti.....

Anti-Corruption Branch, C.I.D. (Tel.Nos.24509,39811).

(3)Mr. Purshottam S.Thakkar, M.A.,LL.B.,
General Secretary,
Bombay Provincial Congress Committee (Tel.No. 45211).

(4)Mr. D.N.D.Khandalwalla, Bar-at-Law,
"Beau Site"
Worli Parade (Tel. No. 41319).

(5)Mr. Jabir A.Ali,
Amir Mansil,
Deonar, Chembur (Tel. No. 87 959).

The above mentioned members of the Anti-Corruption Committee will be glad, at all times, to receieve information regarding corruption in public services or suggestions for anti-corruption measures etc. and undertake not not to disclose the indentity of informents if the latter desire to remain ananymous.

Members of the public who may for any reason be reluctant to approach the Anti-Corruption Branch directly are requested to co-operate with Government by passing on to one or other of the members of this Committee information or suggestions on the subject of corruption and measures to combat it.

Members of the public may rest assured that the imparting of information to members of the Anti-Corruption Committee will not neces-sarily entail any obligation to attend courts or reveal their identities etc.

.....

Collector's office,
Old Custom House, Fort,
Bombay, 25th May 1949.

To

The Secretary to Government,
Public Works Department (Roads & Buildings).

As you might be aware, an Anti-Corruption Committee for Greater Bombay has been formed with the Collector of Bombay as Chairman and the Deputy Commissioner of Police, Anti-Corruption Branch, and two non-officials as members.

The main function of the Committee is to co-operate with Government in suppressing the evil of corrupiton in the public services. With that object, it has to devise and take all such measures in consultation with the Heads of Offices in the District as it considers necessary, including the education of public opinion against the evil of corruption, and bring cases of corruption to the notice of Governme for necessary action.

I....

/2

- send herewith a copy of a recent Press Note issued by the Committee. I shall be grateful if you will please circulate it among the members ofyour staff.

I am further to say that a non-official member of the Committee, Mr. Purshottam S.Thakkar, B.A.LL.B., will be calling on you some time in thenext week. The Committee will be glad if you will convey to him any suggestions for the eradication of corruption or any any information regarding corruption.

Id/-
30-5

Sd/-
(M.R.MEHER, I.C.S., (Retd).,
Collector of Bombay and
Chairman, Anti-Corruption
Committee for Greater Bombay.

Office to put up suggestion and keep other information ready withing two days.

Id/-
30-5-49.

PMB/7/7/56